

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for November 12, 2003 PLANNING COMMISSION MEETING

- P.A.S.:** Annexation #02012 to annex 91.98 acres
Change of Zone #3423 from AG to R-3, R-5, O-3 and B-2
Special Permit #1999 for Community Unit Plan
Use Permit #154 for retail/commercial
- PROPOSAL:** To allow 640 single and multiple family residential units
and 495,000 square feet of office/commercial floor area.
- LOCATION:** Southeast of the intersection of South 27th Street and Yankee Hill
Road.
- WAIVER REQUESTS:**
1. Waive the preliminary plat process.
 2. Landscaping in traffic circles and medians.
 3. Front yard setback from 50' to 20' adjacent to Wilderness Hills
Boulevard; from 50' to 15' adjacent to Yankee Hill Road; and,
from 50' to 20' along Yankee Hill Road all in B-2.
 4. Rear yard setback in the B-2 from 50' to 20' adjacent to
R-5.
 5. Sidewalks along the east side of South 27th Street, and along
the south side of Yankee Hill Road.
 6. Minimum lot area and lot width to allow 4,000 square foot lots
40' in width for single-family and 25' in width for two-family, and
to allow 2,000 square foot lots 20' in width for townhomes, all in
the R-3.
 7. Building height from 45' to 60' in O-3, from 40' to 50' in the B-
2, and from 35' to 50' in the R-3 and R-5.
 8. Sanitary Sewer Design Standard to allow sewer to flow
opposite street grades and located under the centerline of the
private roadways rather than offset.
- LAND AREA:**
- | | |
|----------------------|-------------|
| Annexation #02012 | 91.98 Acres |
| Change of Zone #3423 | 111.5 Acres |
| Special Permit #1999 | 64.35 Acres |
| Use Permit #154 | 47.64 Acres |
- CONCLUSION:** With the modifications noted in the conditions of approval, these
requests are consistent with the intent of the Zoning and Land
Subdivision Ordinances and the Comprehensive Plan.

RECOMMENDATION:

ANN#02012	Conditional Approval
CZ#3423	Approval
SP#1999	Conditional Approval
Waivers:	
1. Sidewalks	Denial
2. Minimum lot area and lot width	Approval
3. Building height	Approval
4. Preliminary plat	Approval
5. Sanitary sewer design standards:	
Flow opposite street grades	Approval
Under the centerline or roadway	Denial
UP#154	Conditional Approval
Waivers:	
1. Preliminary plat	Approval
2. Front yard setback	Approval
3. Rear yard setback	Approval
4. Sidewalks	Denial
5. Building height	Approval
6. Sanitary sewer design standards:	
Flow opposite street grades	Approval
Under the centerline or roadway	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION:	Annexation #02012	See attached.
	Change of Zone #3423	See attached.
	Special Permit #1999	See attached.
	Use Permit #154	See attached.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Agriculture, Residential

SURROUNDING LAND USE AND ZONING:

North:	Commercial/Office/Residential	R-3, R-4, O-3, B-2
	(under development)	(R-3, R-4, O-3, H-4 proposed)
South:	Agriculture	AG
East:	Agriculture	AG
West:	Residential & Golf Course	R-3

COMPREHENSIVE PLAN SPECIFICATIONS: CPC#03015 was approved on **July 16, 2003** designating a Community Center at the intersection of South 27th Street and Yankee Hill Road.

Page F17 - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Page F18 - Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

Page F20 & F21 - Principles of mixed-use development.

Page F23-24 - The area proposed for office/commercial development with this plan is designated as commercial on the Land Use Map of the Comprehensive Plan, and is consistent with CPC#03015.

Page F31 - Tier 1 Priority Areas - This site is within the Future Service Limit. The remainder of the section is within Tier 1, Priority Area A. That area within the Future Service Limit can be served by city utilities; those lands in Priority Area A are designated to receive city services within the next 12 years.

Page F45 - Community Centers may vary in size from 300,000 to nearly a million square feet of commercial space. Typically, new Community Centers will range from 300,000 to 500,000 square feet. Community Centers are intended to be smaller in scale and intensity of uses than Regional Centers and serve a more targeted market and geographic area. Community Centers tend to be dominated by retail and service activities, although they can also serve as campuses for corporate office facilities and other mixed-use activities. When properly located, some light manufacturing or assembly when accessory to an office function may be allowed. One or two department stores or "big box" retail operations may serve as anchors to the Community Center with smaller general merchandise stores located between any anchors or on surrounding site pads, such as Edgewood Shopping Center at S. 56th Street and Highway 2.

Page F95 - The Bicycle and Trails Plan shows the trail crossing Yankee Hill Road at approximately South 33rd Street and extending across this site.

HISTORY: Revised application was submitted **September 19, 2003**.

Planning Director's letter was sent **January 29, 2003**.

Numerous meetings were held between the applicant and staff prior to and after submittal of the preliminary plat.

Preliminary Plat was submitted **December 24, 2002**.

UTILITIES: Water: Water is available to this development, and the water system shown to serve it is satisfactory.

Sewer: The area within the proposed development can be served by gravity-fed sewer. However, the timing of the connection to the system must be coordinated with those parties responsible for extending the sewer main to the intersection of South 27th Street and Yankee Hill.

Other: Electricity, gas, telephone, and cable television are available and can be provided to this development.

PUBLIC SERVICE: After annexation, the area will become part of the Lincoln Public School District, and all public services including Police and Fire will be provided by the City. The Fire Department notes in their review concern that new developments at the edge of the city are stretching their resources and response times without new fire stations to serve those areas.

TRAFFIC ANALYSIS: This site is bounded by South 27th Street and Yankee Hill Road, both principal arterial streets. Access to these streets is limited except for intersections located at Whispering Wind Blvd, Wilderness Hills Blvd, Private Roadway A, Private Roadway D, South 33rd Street, and a driveway at Lot 4, Block 1. Access within the development is provided by public streets, with internal access to the office/commercial areas and the townhouse/multiple-family areas provided by private roadways.

A traffic study was completed for this development, and the recommendations of that study are being included in the conditions of this report where appropriate. Except for a portion of Yankee Hill Road adjacent to the northwest corner of this site, South 27th Street and Yankee Hill Road have not yet been improved to four-lane streets as called for in the Comprehensive Plan. These streets must be improved prior to or in conjunction with this development. Any improvements, such as additional turn lanes and traffic signals needed as a result of this development beyond those covered by impact fees, will be the responsibility of the developer.

TOPOGRAPHY: The site is rolling farmland, characterized by a small draw that extends southeast to northwest through the middle of the development. The ground elevation in this portion of the mile section allows the site to be connected to the city's system by gravity-fed sanitary sewer.

BACKGROUND: The owner has been working very closely with the City in an attempt to master plan this entire mile section. The intent was to develop an integrated concept that provided for residential, commercial and office uses along with a school site, and a light industrial employment center. It was also a goal to preserve the natural terrain, particularly the drainage across the southern portion of the section.

The portion of Section 30 that can be served by city sanitary sewer is the area included in this request. A concept plan for the remainder of the section has been developed, and the the owner will seek approval at such time as sewer service is available to serve that area.

CPC#03015, which allowed the designation of a community center the intersection of South 27th Street and Yankee Hill Road, anticipated this project. The Comprehensive Plan assumes a neighborhood center in every square-mile section, in addition to the larger Commerce and Regional Centers shown at selected locations. This amendment allowed for an exchange in floor area between the Light Industrial Employment Center located on South 40th Street halfway between Yankee Hill and Rokeby Roads and the neighborhood center. The employment center was reduced by the amount the neighborhood center was increased, consistent with what is shown in the attached plan.

ANALYSIS:

1. While a portion of this site (Lot 32 at the northwest corner) is within the city limit, the majority is not and must be annexed before utilities can be extended to serve the site. The owner will be required to enter into an annexation agreement, which may stipulate, among other things, financial responsibility for any required improvements not covered by impact fees. These improvements may include turn lanes and traffic signals. The owner and Public Works must determine the extent of these improvements prior to this request being scheduled for City Council.
2. Relative to the applicable waivers, Public Works offered the following comments:
 - Sewer Design:** The waiver to allow sewer to flow opposite street grades is appropriate, however it is not acceptable to allow the sewer to extend along the centerline of the private roadways as the roadway would need to be closed for maintenance.
 - Sidewalks:** Public Works notes that sidewalks are needed along South 27th Street as well as Yankee Hill Road and the requested waiver is unsatisfactory. The applicant states that the designs of South 27th Street and Yankee Hill Road are to be done by the City as part of the Capital Improvement Program and that sidewalks should be part of those improvements. It is true that the sidewalks will be built with the road projects, however Title 26 (Land Subdivision) states it is the developer's responsibility to pay for sidewalks. An amendment to clarify that sidewalks along arterial streets are not covered by impact fees is currently being considered by the City Council.
3. This development will outlet to the trunk sewer originally built to serve Wilderness Ridge, west across South 27th Street. A formula was developed to be used to

determine the connection fee for users of the line. This user should also be subject to the appropriate fee for connecting to that line.

4. Public Works noted traffic-study recommended turn-lane lengths for Private Road D at Yankee Hill Road (240'), and for Whispering Wind Blvd and South 27th Street (150'). A revised traffic study has since been submitted and is under review. The plans will need to be revised to show the necessary turn-lane lengths as determined by Public Works.
5. A waiver to landscaping in traffic circles and medians was requested, but there is no requirement for landscaping in these areas. However, any landscaping located within these areas beyond typical trees and turf must first be approved by the Parks and Recreation Department. A property owners association will be responsible for the maintenance of all landscaping within traffic circles, medians, boulevards, pocket parks, and outlots.
6. The Bicycle and Trail Plan provides for the trail system to extend through this area, and a crossing has been designated at South 33rd Street. This plan must be revised to show an underpass crossing at Yankee Hill Road east of South 33rd Street.
7. All streets within this development are local streets, and should be designed to function as such. Beyond what is needed to provide for turn lanes, South 33rd Street and Whispering Wind Blvd should be tapered down to the standard width of 27' for a local street.
8. Waivers to setbacks for the B-2 have been requested for the front along Wilderness Hills Blvd and Yankee Hill Road. A waiver to the rear yard setback between B-2 and R-5 has also been requested. The reduction in setbacks is offset by the inclusion of two private pocket parks. The total reduction in setback amounts to approximately 2.2 acres in area, and the applicant has agreed to ensure the combined area of the pocket parks is equivalent. This is an appropriate compromise that allows for a greater utilization of the land dedicated to commercial use, but still provides an equal area for active recreation in exchange where the overall benefit to the community is roughly the same. The plan must also be revised to show that the waiver to setback in the B-2, except Lots 17 and 18, is to parking areas, not to building envelopes. Lots 17 and 18 should be limited to small office buildings to continue the concept of using office buildings as a transition.
9. There is one exception, however, where the reduction in setback to 20' in the B-2 is not appropriate. Office is generally used as a buffer between commercial and residential throughout the development except Lots 9-12, Block 1 where the B-2 is adjacent to residential. In this area, the amount of screening needs to be increased to provide an

adequate buffer between the commercial and residential in this area. In this area, the minimum setback should be 30'. This will allow for a staggered double-row of trees (one-half coniferous). The result should be a 100% screen at least 15' in height.

10. A waiver to lot area and width is requested to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow 2,000 square foot lots 20' in width for townhomes, all in the R-3. The waivers are typical for a residential CUP such as this one, and will allow for greater flexibility and density in the development of the residential component.
11. A waiver to building height is requested to allow buildings up to 60' in the O-3, and up to 50' in the B-2 and R-5. As part of the Comprehensive Plan Amendment, some of the rationale for allowing the additional floor area was that at least 45,000 square feet of it had to be on the second floor of buildings. These waivers will accommodate more compact development and higher floor area ratios (FAR) which are generally desired in commercial areas. The increase in height is appropriate towards the center of the commercial development, however Lots 17 and 18, Block 1 should be limited to the district height.
12. As noted previously, a portion of the commercial allowed at this location was for a neighborhood center. The intent is to provide for the everyday uses such as grocery, pharmacy, and dry cleaning close to home to minimize vehicle outside the neighborhood. The "Town Center" must include at least 100,000 square feet of neighborhood retail floor area to provide for these uses.
13. Sidewalks that are convenient to the residents of the R-5 residential area should be provided through the parking lots between the dwelling units and the commercial buildings in the town center. One purpose of mixed-use is to encourage pedestrian trips.

CONDITIONS:

Annexation #02012

1. The applicant will enter into an annexation agreement with the City of Lincoln.

Special Permit #1999

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to show:

- 1.1.1 General Note #16 revised to include the construction of sidewalks along South 27th Street and Yankee Hill Road.
- 1.1.2 General Note #21 revised to include pocket parks.
- 1.1.3 All private roadways named, including Private Roadway B renamed as South 28th Street, and Private Roadway C renamed as South 30th Street.
- 1.1.4 Lot 1, Block 2 and Lots 21-23, Block 1 designated for townhouse or multiple-family uses.
- 1.1.5 Revise General Note #18 to delete the last sentence referring to subdivision area signs.
- 1.1.6 Move the two notes relating to the pocket parks on Sheet 2 of 17 to the General Site Notes on Sheet 1 of 17. Provide and show that private pocket parks are increased in area by approximately 2.2 acres excluding stormwater detention facilities (each park increased by roughly one acre in area) and showing recreational equipment to the satisfaction of the Parks and Recreation Department.
- 1.1.7 Show the trail connection with underpass east of South 33rd Street.
- 1.1.8 South 33rd Street as a 27' wide local except to allow for the required turn lanes at the intersection with Yankee Hill Road.
- 1.1.9 The note identifying the 'Section Line' modified to read '1/4 Section line'.
- 1.1.10 Required utility easements noted in the October 3, 2002 L.E.S. review.
- 1.1.11 Add a note stating that homes will not take access or have garage doors facing Wilderness Hills Blvd, but will have their primary facades facing Wilderness Hills Blvd.
- 1.1.12 Show pedestrian sidewalks and pedestrian way easements through the parking lots east of the town center connecting the dwelling units in the R-5 district to the town center.
- 1.1.13 Modify C.U.P. Site Note #4 to also include Lot 1, Block 2.

- 1.2 Make revisions and corrections noted in the Public Works and Utilities and Watershed Management reviews to the satisfaction of Public Works and Utilities.
2. This approval permits 640 single family, townhouse and multiple-family units dwelling units with waivers to preliminary plat process, to minimum lot area and lot width to allow 4,000 square foot lots 40' in width for single-family and 25' in width for two-family, and to allow 2,000 square foot lots 20' in width for townhomes, all in the R-3, and to building height from 35' to 50' in the R-3 and R-5. The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Use Permit #154

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 Add the following to the floor area table: "A TOTAL OF 495,000 SQUARE FEET OF COMMERCIAL FLOOR AREA. THIS INCLUDES 45,000 SQUARE FEET THAT CAN ONLY BE USED ON THE SECOND FLOOR ABOVE RETAIL SPACE IN THE TOWN CENTER, AND IT MAY NOT BE USED ELSEWHERE ON THE SITE. IF THE SECOND FLOOR OFFICE SPACE IS REDUCED OR ELIMINATED, THEN THE OVERALL FLOOR AREA OF THE CENTER WILL BE REDUCED ACCORDINGLY. A MINIMUM OF 170,000 SQUARE FEET MUST BE IN OFFICE USE. THIS CENTER WAS GRANTED ADDITIONAL COMMERCIAL FLOOR AREA UNDER THE INCENTIVE CRITERIA OF THE COMPREHENSIVE PLAN DUE TO THE SIGNIFICANT MIX OF RESIDENTIAL USES AND HIGHER RESIDENTIAL DENSITY TO BE DEVELOPED ADJACENT TO THE CENTER AND MULTIPLE PEDESTRIAN AND VEHICULAR ACCESS POINTS TO THE CENTER.

THE TOWN CENTER PORTION MUST INCLUDE APPROXIMATELY 100,000 SQUARE FEET OF NEIGHBORHOOD RETAIL USES AND

SHALL BE DEVELOPED AS A PEDESTRIAN ORIENTED CENTER. THE ENTIRE TOWN CENTER WILL BE DEVELOPED AS A PLAZA WITH WIDER SIDEWALKS IN SOME LOCATIONS, NUMEROUS EATING AREAS, OUTDOOR RESTAURANT SPACE AND A CENTRAL PLAZA SPACE WITH BRICK OR COLORED PAVING THAT CAN BE CLOSED FOR SPECIAL EVENTS. TWO FACING TOWN CENTER BUILDINGS SHALL BE CONSTRUCTED PRIOR TO OR CONCURRENTLY WITH THE FIRST "BIG BOX" (OVER 20,000 SQUARE FEET) RETAIL BUILDING.

- 1.1.2 Add Note #14 to the Use Permit Notes stating that "ALL BUILDINGS AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE DESIGN CRITERIA ON Sheet 16 of 17."
- 1.1.3 Add to Note #10 "THE DEVELOPER WILL DEVELOP TWO POCKET PARKS (TO BE PRIVATELY OWNED AND MAINTAINED) IN CONSIDERATION FOR REDUCING THE SETBACK TO THE MULTIPLE-FAMILY TO THE EAST AND FOR HAVING FRONT YARD SETBACKS FOR PARKING ALONG YANKEE HILL ROAD WITHIN THE B-2 AS FOLLOWS: 20' SETBACK ADJACENT TO 60' RIGHT-OF-WAY; AND, 15' SETBACK ADJACENT TO 65' RIGHT-OF-WAY."
- 1.1.4 Revise the site plan and Use Permit Note #11 to "PROVIDE A MINIMUM OF A 30' SETBACK ALONG WILDERNESS HILLS BLVD IN THE B-2 AREA TO PROVIDE FOR A STAGGERED DOUBLE ROW OF TREES, ONE-HALF TO BE CONIFEROUS." Show this 100% screen to a height of 15' on the plan.
- 1.1.5 Add Note #15 to the Use Permit Notes stating that "LOTS 17 AND 18 SHALL ONLY BE FOR OFFICE USE AND ASSOCIATED PARKING AND SHALL HAVE A 20' SETBACK ALONG WILDERNESS HILLS BLVD."
- 1.1.6 Revise the building envelope along Yankee Hill Road to be a 50' setback for building envelopes, but 20' or 15' for parking where appropriate per Condition 1.1.3.
- 1.1.7 Revise the title of Sheet 16 of 17 to "Town Center Streetscape Concept and Design Criteria."
- 1.1.8 Revise the building elevation of "Main Street View Facing West," for the two end buildings adjacent to the central circle to be more consistent and in keeping with the character of the overall design.
- 1.1.9 Simplify Note #2 on Sheet 16 of 17 to state "Two Facing Town Center buildings shall be constructed prior to or concurrently with the first 'big box' (floor area greater than 20,000 square feet) retail building."
- 1.1.10 Correct the title of the notes on Sheet 16 of 17 to "Town Center" not "Township Center." Delete "Big Box" from the subtitle "Big Box Design Criteria".

- 1.1.11 From the Storefront Design on Sheet 16 of 17 delete “imaginative forms”.
 - 1.1.12 Amend the statement on Sheet 16 of 17 to state “Other acceptable exterior material - subject to Landlord and Planning Director design review and approval.”
 - 1.1.13 Show pedestrian sidewalks and pedestrian way easements through the parking lots east of the town center connecting the dwelling units in the R-5 district to the town center.
 - 1.1.14 Clarify the notes for the town center on Sheet 16 of 17 to the satisfaction of the Planning Department.
 - 1.1.15 The design criteria on Sheet 16 of 17 shall apply to all buildings in the B-2 district.
 - 1.1.16 Add a new Note #3 to Town Center Notes on Sheet 16 of 17 “All buildings within the use permit shall be subject to the design criteria. Each building’s elevations shall be first submitted to the Landlord’s Coordinating Architect for review and approval. Then a letter of approval from the Landlord’s Coordinating Architect (which shall describe how the elevations conform to the design criteria) along with the building elevations shall be submitted to the Planning Director for review and approval, prior to issuance of a building permit.”
2. This approval permits 495,000 square feet of office and commercial floor area with waivers to the preliminary plat, front yard setback from 50' to 30' adjacent to Wilderness Hills Boulevard; from 50' to 15' and 20' for parking adjacent to Yankee Hill Road in B-2, rear yard setback in the B-2 from 50' to 20' adjacent to R-5, building height from 45' to 60' in O-3, from 40' to 50' in the B-2, and to sewer main design to allow sewer to run opposite street grades. The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved use permit is submitted five (5) years or more after the approval of the use permit, the city may require that a new use permit be submitted, pursuant to all the provisions of section 26.31.015. A new use permit may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the use permit as originally approved does not comply with the amended rules and regulations.

General:

3. Before receiving building permits:

- 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:
- 3.2 The construction plans shall comply with the approved plans.
- 3.3 Final Plats shall be approved by the City.

Standard:

- 4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the office/commercial floor area all development and construction shall have been completed in compliance with the approved plans, including design criteria.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will, AICP
Planner
October 30, 2003

**APPLICANT/
OWNER:**

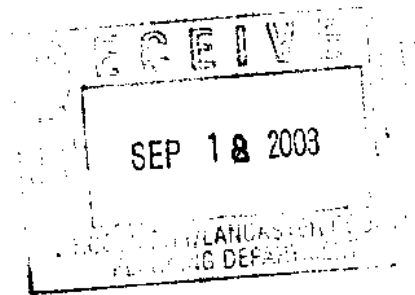
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September 18, 2003

Brian Will
Planning Department
555 So. 10th Street
Lincoln, NE 68508



2200 Fletcher Avenue, Suite 102
Lincoln, Nebraska 68521

Re: Wilderness Hills CUP/Use Permit
Resubmittal, EDC Job #02-048

Dear Brian:

Enclosed please find the following documents for the above-mentioned project. This is a resubmittal for the Preliminary Plat, Conditional Use Permit (CUP), Use Permit, Annexation and Change of Zone from AG to R-3, R-5, O-3 & B-2.

CUP/Use Permit

1. 12 copies of the CUP/Use Permit Cover Sheet
2. 20 copies of the CUP Site Plan
3. 12 copies of the CUP Utility Plan
4. 12 copies of the CUP Grading/Drainage Plan
5. 12 copies of the CUP Drainage Calculations
6. 1 copy of the CUP Site Plan reduced to 8 1/2" x 11"
7. 20 copies of the Use Permit Site Plan
8. 12 copies of the Use Permit Utility Plan
9. 12 copies of the Use Permit Grading/Drainage Plan
10. 12 copies of the Use Permit Drainage Calculations
11. 12 copies of the Use Permit Spot Elevation Plan
12. 12 copies Town Center Streetscape Concept / Big Box Design Criteria
13. 12 copies Town Center Streetscape Concept reduced to 11" x 17"
14. 1 copy of the Use Permit Site Plan reduced to 8 1/2" x 11"
15. 6 copies of the CUP/Use Permit Street Tree Plan
16. 5 copies of the CUP/Use Permit Street Profiles
17. 6 copies of the Wilderness Hills overall Site Plan (concept -- reference only)

Miscellaneous Documents

1. Change of Zone application (AG to R-3, R-5, O-3 and B-2) w/Exhibits and Legals
2. Special Permit Application for a CUP
3. Use Permit Application
4. Cover Letter, Legal Description and Exhibit for Annexation Boundary
5. 1 copy of the Drainage Study
6. 1 copy of the Ownership Certificate

Under this resubmittal I am filing a request for a Conditional Use Permit (CUP), Use Permit, Annexation and Change of Zone from AG to R-3, R-5, O-3 and B-2 for Wilderness Hills, a 64-acre residential development consisting of single-family, townhouses and multi-family units and a 47-acre office/commercial center located in the southeast corner of South 27th Street and Yankee Hill Road.

Owner / Developer

Gerald Maddox
Lincoln Federal Bancorp., Inc.
1101 'N' Street
Lincoln, NE 68508
402-474-1400

Authorized Agent

Robert L. Dean, P.E.
Engineering Design Consultants, L.L.C.
2200 Fletcher Ave., Suite 102
Lincoln, NE 68521
402-438-4014

The following owners hold interest and/or options in the property that is adjacent to Wilderness Hills: Wilderness Ridge, Et Al, Southview Inc., Catholic Bishop of Lincoln, Lincoln Public Schools and Dr. Al Hohensee.

We are requesting the following waivers to the City of Lincoln Design Standards:

Preliminary Plat:

1. Waive the preliminary plat process.
2. Waiver to grant the planning director authority to approve an administrative final plat that conforms with the special permit for the community unit plan.
3. Waiver to grant the planning director authority to approve administrative final plats even though there are public streets and private roadways.

Round-a-Bout and Blvd. Median Landscaping (Design Standards, Land Subdivision and Zoning Regulations; Title 26:

Waiver of landscape design to defer until roadway design for Whispering Wind Blvd. and Wilderness Hills Blvd. to integrate a "themed" approach to landscaping of commercial office site.

Front Yard Setback (Title 27, Section 27.31.090):

Waiver of front yard setback in B-2 zone from 50 ft. to 20 ft. adjacent to Wilderness Hills Blvd. Waiver of front yard setback in B-2 zone from 50 ft. to 20 ft. adjacent to Yankee Hill Road, 60 ft. right-of-way and 50 ft. to 15 ft. adjacent to Yankee Hill Road, 65 ft. right-of-way for parking. Waiver of front yard setback in B-2 zone from 50 ft. to 20 ft. along Yankee Hill Road for Lot 4, Block 1 to allow for building canopy. Waiver request includes allowance for overhang of vehicles in the setback. The waivers are requested in exchange for setting aside and developing 2 private "pocket parks" as shown on the CUP/Use Permit Site Plans.

Rear Yard Setback (Title 27, Section 27.31.090):

Waiver of rear yard setback in the B-2 zone adjacent to the R-5 residential area from 50 ft. to 20 ft. Waiver request includes allowance for overhang of vehicles in the setback. The waivers are requested in exchange for setting aside and developing 2 private "pocket parks" as shown on the CUP/Use Permit Site Plans.

South 27th Street/Yankee Hill Road Sidewalk (Design Standards, Land Subdivision Regulations, Title 26):

Waiver for installation of sidewalks along the east side of South 27th Street and the south side of Yankee Hill Road. The design of street improvements for South 27th Street and Yankee Hill Road are being handled by the City of Lincoln through it's capital improvements program. Installation of sidewalks should be a part of those improvements.

Lot Area / Lot Width (Title 27, Section 27.15.080 (R-3) and 27.19.080 (R-5)):

R-3 Zone. Waiver to allow 4,000 sq. ft. lot area and 40 ft. wide lot for single-family and 25 ft. wide lot per family for 2-family. Waiver to allow townhouses in R-3 zone with lot area of 2,000 sq. ft. per family and lot width of 20 ft. per family.

R-5 Zone. Waiver to allow 4,000 sq. ft. lot area and 40 ft. wide lot for single-family and lot area of 2,000 sq. ft. per family for townhouse lots.

The waivers are requested to allow greater flexibility in the future to meet the wide range of housing products offered by the local builders and to allow higher density within the R-3 and R-5 zones.

Building Height (Title 27, Section 27.19.080 (R-5); 27.15.080 (R-3); 27.27.070 (O-3) and 27.31.090 (B-2)):

Waiver of building heights from 45 ft. to 60 ft. in the O-3 zone, from 40 ft. to 50 ft. in the B-2 zone and from 35 ft. to 50 ft. for lots 21/22, Block 1 (R-5 zone) and Lot 1, Block 2 (R-3 zone). The waivers are requested to allow for multiple story office and apartment buildings in the O-3 zone, and R-3/R-5 zones, and greater flexibility in architectural design for the big box and town center buildings in the B-2 zone.

Sewer Main Design (Design Standards, Land Subdivision Regulations, Title 26):

Waiver to allow sanitary sewer to run opposite street grades. Waiver to allow sanitary sewer within the R-5, O-3 and B-2 zones to be located along the center of the private roadways. The waiver to allow sanitary sewer to run opposite street grades is requested to reduce the amount of pipe installed and to eliminate pipe in streets that aren't required to provide lateral service to the lots. Maximum depth of 15 ft. will not be exceeded. The waiver to allow the sanitary sewer to be placed at the centerline of the private roadways is requested due to site constraints and to minimize the width of the public access/utility easement.

If you have questions or concerns, please contact me at 438-4014.

Sincerely,

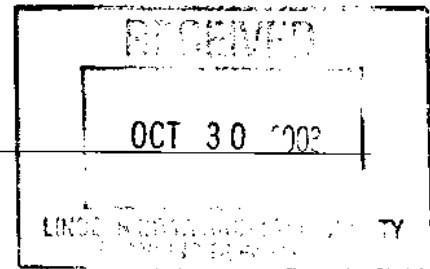


Robert L. Dean, P.E.
Principal

RLD/kle

Enclosures

Memorandum



To: Brian Will, Planning Department
From: CB Chad Blahak, Public Works and Utilities
Dennis Bartels, Public Works and Utilities
Subject: Wilderness Hills Preliminary Plat
Date: October 29, 2003
cc: Randy Hoskins

Engineering Services has reviewed the preliminary plat and CUP for Wilderness Hills, located on the southeast corner of South 27th Street and Yankee Hill Road and has the following comments:

- 1 Water Main - The water system is satisfactory.
- 2 Sanitary Sewer - Timing of the 8" sanitary sewer in South 27th Street north from the outfall to Yankee Hill Road connection will need to be coordinated with party responsible for extending sewer to the intersection of South 27th Street & Yankee Hill Road.

Public Works approves the requested waiver of design standards for sewer to run opposite street grades. Public Works does not approve the requested waiver of design standards for sewer to run on centerline of private roadway to save easement width. This will hinder access to the sewer for maintenance. The commercial streets would need to be closed to access the manholes during maintenance.

Easements are needed for all sanitary sewers outside of the dedicated public streets.

This plat outlets to the trunk sewer built to serve Wilderness Ridge. A connection fee per the previously applied formula should be required.

- 3 Show existing culverts in 27th Street and proposed storm sewer in Yankee Hill Road and at the intersection of Yankee Hill and South 27th.

Show the locations of the outlet structures in the proposed detention cells. Also show how the outlet structures will connect to existing and future storm systems.

Show that the excess storm runoff for the 100 year storm from Wilderness Hills Boulevard onto South 27th will not adversely effect South 27th in terms of depth of flow in a major arterial street.

This developer needs to provide a guarantee that detention will be constructed for the areas included in this CUP that drain to proposed detention cells outside of the limits of this plat.

A 2% minimum grade needs to be provided in the detention areas as per design standards.

Show assumed grades and paving in South 27th Street and Yankee Hill Road based on an urban cross section and show appropriate site grading to tie into the assumed grades.

4. Streets - Street names need to be provided for the proposed private roadways

The K values for vertical curves in South 30th at Sta 1+59 and 2+39 do not meet design standards and need to be revised.

The traffic study provided by Ehrhart Griffin and Associates for this project shows a recommended north to west bound left turn lane length of 240' for Private Roadway 'D' at the intersection with Yankee Hill Road. The turn lane shown is less than 100' in length due to the intersection with Private Drive F. The traffic study also indicates that the west to south bound left turn lane in Whispering Wind Boulevard needs to be 150' in length. There is only 120' of turn lane shown on the plan due to the Adobe Street intersection. These discrepancies will need to be addressed prior to Public Works approval. The full buildout lane configurations in the traffic study must be met with the design of this plat. Revised roadway and lot configurations may be required.

The street cross section in Whispering Wind Road and the intersection of South 27th Street must be revised to match existing section on the opposite side of the intersection. The street cross-section of 33rd and 30th streets also need to be revised and detailed to match the approved streets on the north side of Yankee Hill Road. The existing and approved geometry for streets on the west side of 27th and north side of Yankee Hill must be shown.

Sidewalks are needed along 27th Street and Yankee Hill Road as well as interior local streets. The requested waiver is unsatisfactory. The developer is responsible for these sidewalks.

The traffic study submitted for this development acknowledges that upon full development of this plat, the capacity of 27th will be exceeded for the existing and proposed 4 lane cross-section between Yankee Hill Road and Old Cheney Road.

Responsibility for construction of paving and traffic signal improvements caused by this development must be determined and be included in an annexation and zoning agreement. Any improvements not theoretically included in impact fees should be paid for by this development. Yankee Hill Road and 27th Street adjacent to this development must be built to an urban cross-section prior to or in conjunction with this development.

5 General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection between the storm sewer inlets and the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

**PUBLIC WORKS AND
UTILITIES DEPARTMENT**



MEMORANDUM

Date: October 20, 2003

To: Brian Will
cc: Ben Higgins, Chad Blahak

From: Devin Biesecker

Subject: *Wilderness Hills*

Watershed Management has reviewed the plans for Wilderness Hills CUP. Comments are based on a 17 sheet plan set and hydrology report stamped Sept 18, 2003 by the Planning Dept.

1. City of Lincoln Design Standards states that detention facilities should be graded to prevent standing water conditions with a minimum 2% bottom slope for all unpaved areas. The grading plan shows Outlot 'C' as having slopes less than 2% in some areas.
2. There are two storm water systems that outlet to the south without detention. It is stated in the letter included with the plan set that detention for this area would be accounted for in future development to the south. However, development in this area may be several years away. Watershed Management recommends that temporary detention either with a detention pond or by creating swales with checks should be used at this location to prevent erosion downstream.
3. Minimum opening elevations are needed for the lots adjacent to Outlot 'C'
4. There are areas in Block 4 shown on the grading plan that have slopes less than 2%. Provide flow direction arrows on appropriate lot lines as stated in Section 26.15.020(b) of the Lincoln Subdivision Ordinance. To aid in preventing future drainage problems along lot lines in this development it is recommended that flow direction arrows be shown along all single family lots.
5. There are several storm water systems shown in private streets. If the storm water systems are also private it should be noted on the plans.
6. City of Lincoln design standards require a 10 year frequency for the design storm in commercial areas. A 5 year frequency was used for the commercial areas of this development.
7. The hydrology study has several areas that need further explanation. Public Works and Utilities will meet with the design engineer to discuss these issues.

Memo



To: Brian Will, Planning Department

From: Mark Canney, Parks & Recreation

Date: September 30, 2003

Re: Wilderness Hills SP 1999

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and the following comments:

1. Developer and/or home owners association responsible for the maintenance of all outlot areas, medians, traffic circles, boulevards, and parkways associated with the development.
2. Any landscape in public right of way that is not a "basic" landscape (trees & turf) is considered an "enhanced" landscape and must go through proper channels for approval including a written agreement with the City of Lincoln accepting responsibility for the initial expense and ongoing maintenance associated with the "enhanced" landscape.
3. A trail crossing to be a grade step crossing (underpass) and located east of 33rd Street needs to be identified.
4. Street trees need to be identified and located on all roadways.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

INTER-DEPARTMENT COMMUNICATION



DATE: October 3, 2003
TO: Brian Will , City Planning
FROM: Sharon Theobald
Ext. 7640
SUBJECT: DEDICATED EASEMENT
DN # 87S-30E

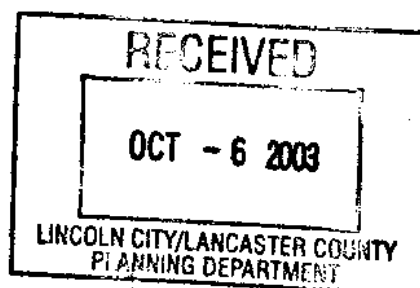
Attached is the C.U.P./Use Permit for Wilderness Hills.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements excluding building envelopes over Block 1, Lots 21 & 22, and blanket utility easements over all of the Outlots.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File



Richard J Furasek

To: Brian J Will/Notes@Notes

10/10/2003 10:37 AM

cc:

Subject: Wilderness Hills

After reviewing the plans for special Permit #1999, Use permit # 154, and Annex. # 02012, we find it acceptable from the perspective of our department. We have access to the area and water doesn't seem to be an issue. The only concern is stretching our resources and response times to these areas without having new fire stations to provide the service that the people of Lincoln expect.

Richard J. Furasek

Assistant Chief Operations

Lincoln Fire & Rescue

1801 Q Street

Lincoln Ne. 68508

Office 402-441-8354

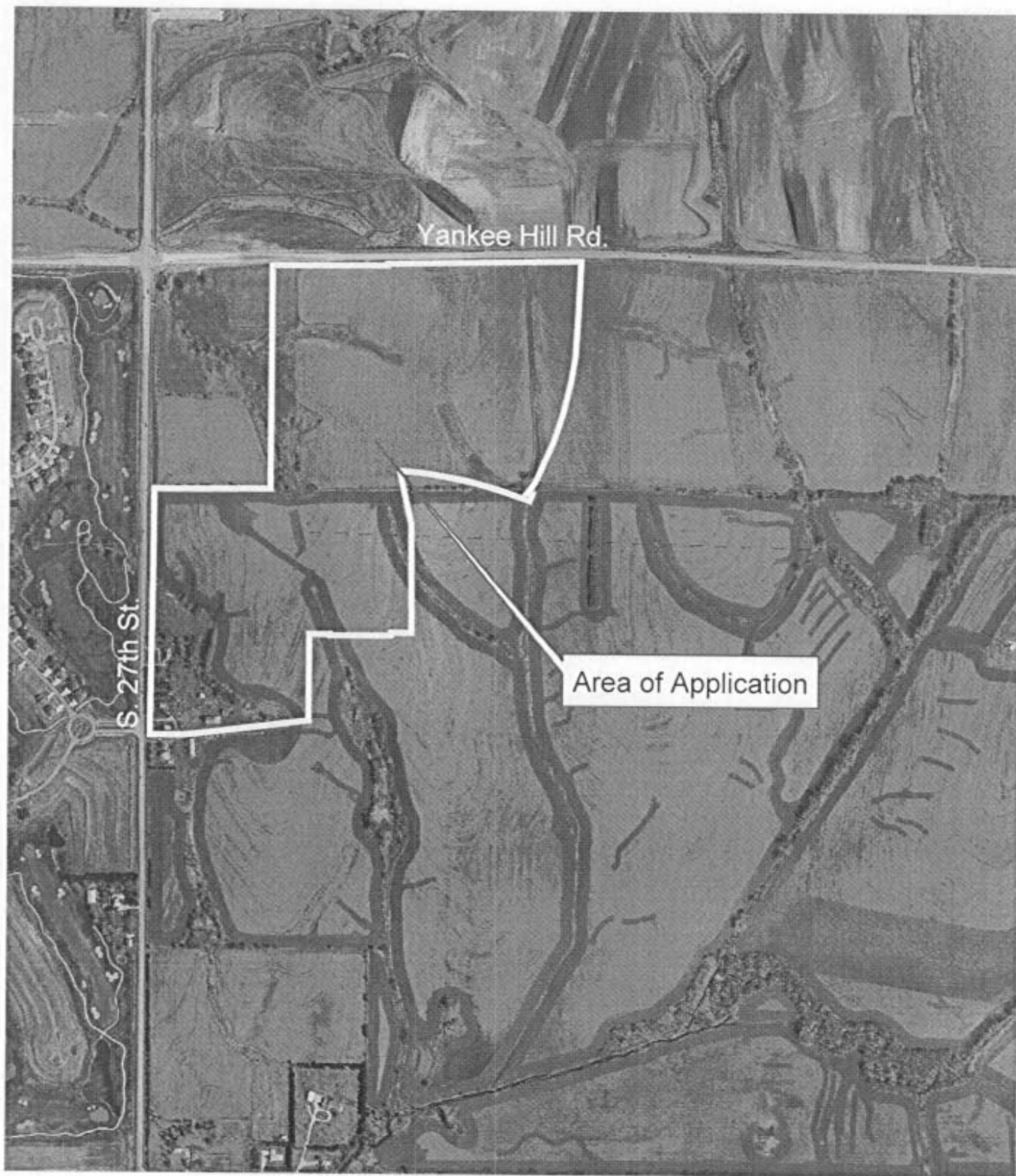
Fax 402-441-8292

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Brian Will	DATE: October 7, 2003
DEPARTMENT: Planning	FROM: Chris Schroeder
ATTENTION:	DEPARTMENT: Health
CARBONS TO: EH File EH Administration	SUBJECT: Wilderness Hills SP #1999 UP #154 Annex #02012

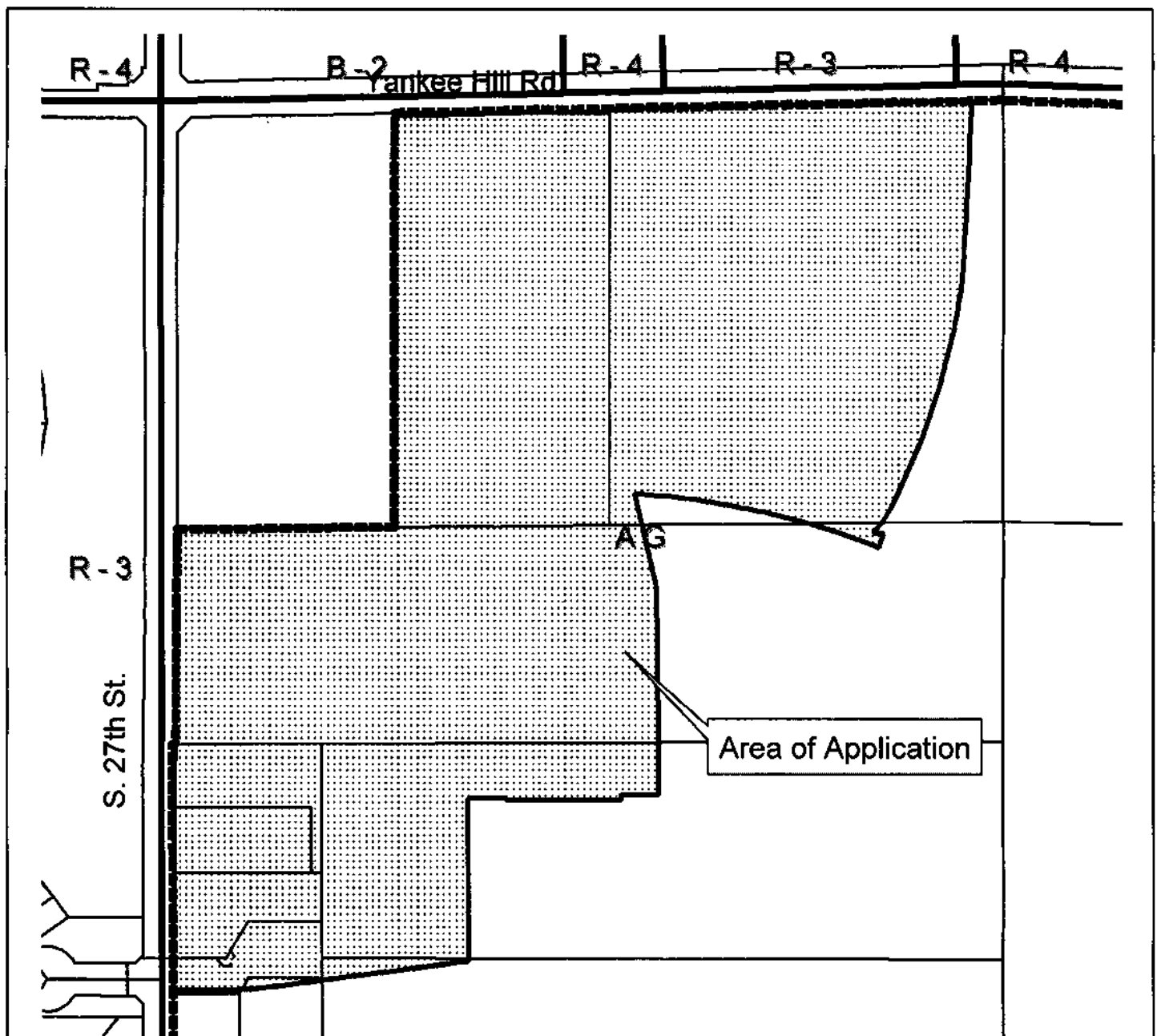
The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed Wilderness Hills development with the following items noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.



Annexation #02012
S. 27th St. & Yankee Hill Rd.



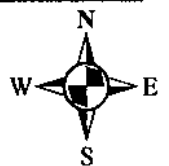
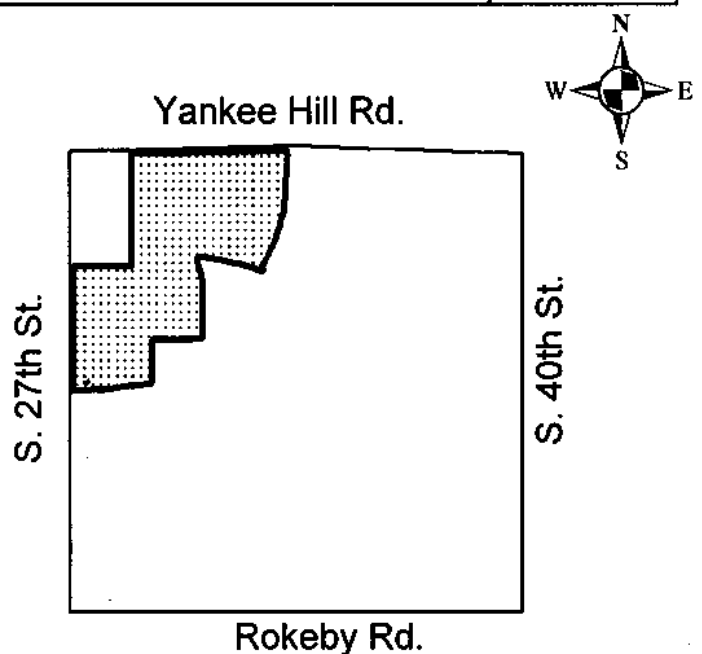


Annexation #02012 S. 27th St. & Yankee Hill Rd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 30 T09N R7E



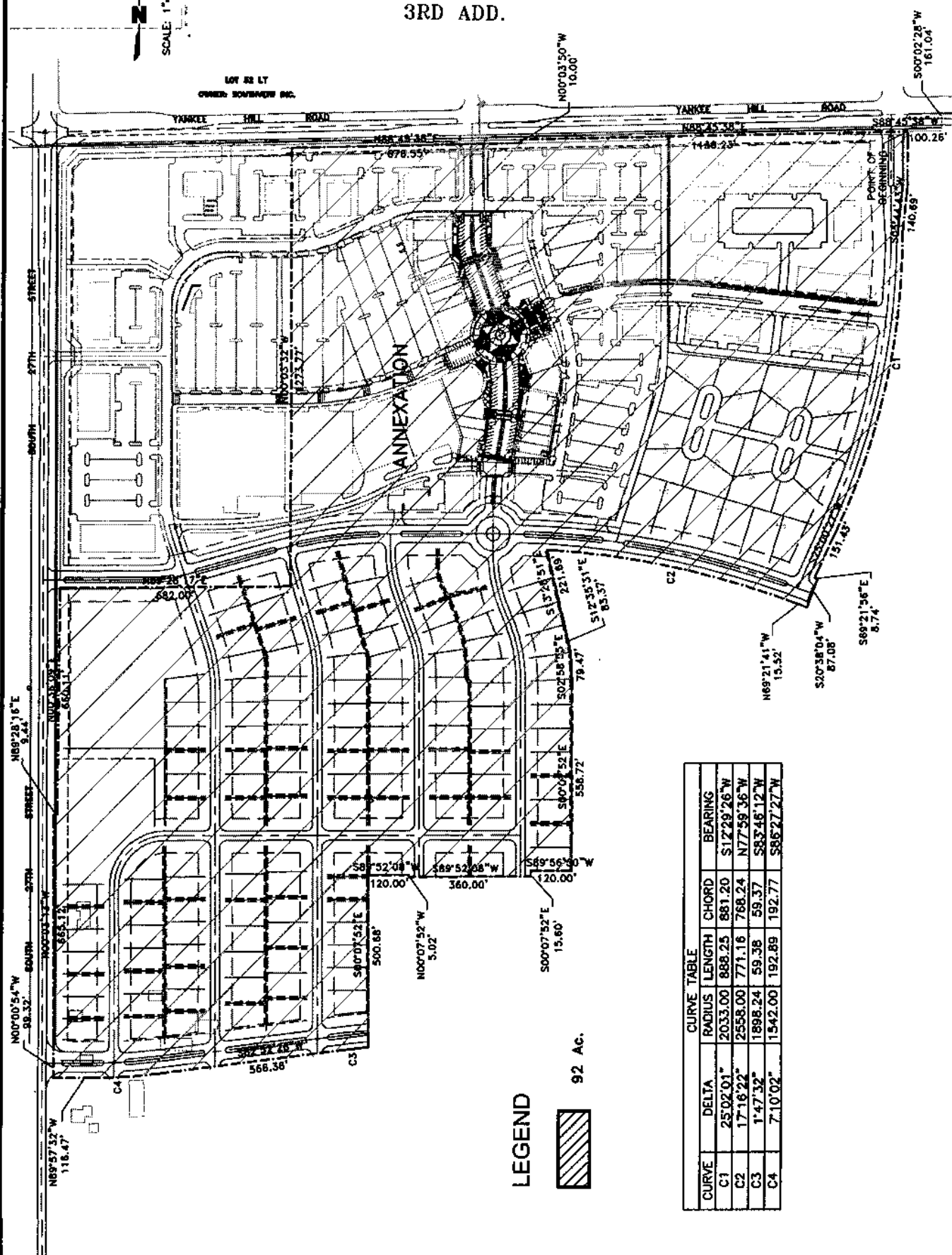
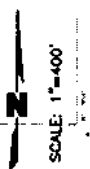
Drawn By: NLH
Dwg.: WilderHill_anex
Date: 10/29/03

WILDERNESS HILL
ANNEXATION BOUNDARY EXHIBIT
Lincoln, Nebraska

630 N. Corner Blvd.
Ste. 105
Lincoln, NE 68505
Ph. 402-464-4011



HEIGHTS SOUTH
3RD ADD.



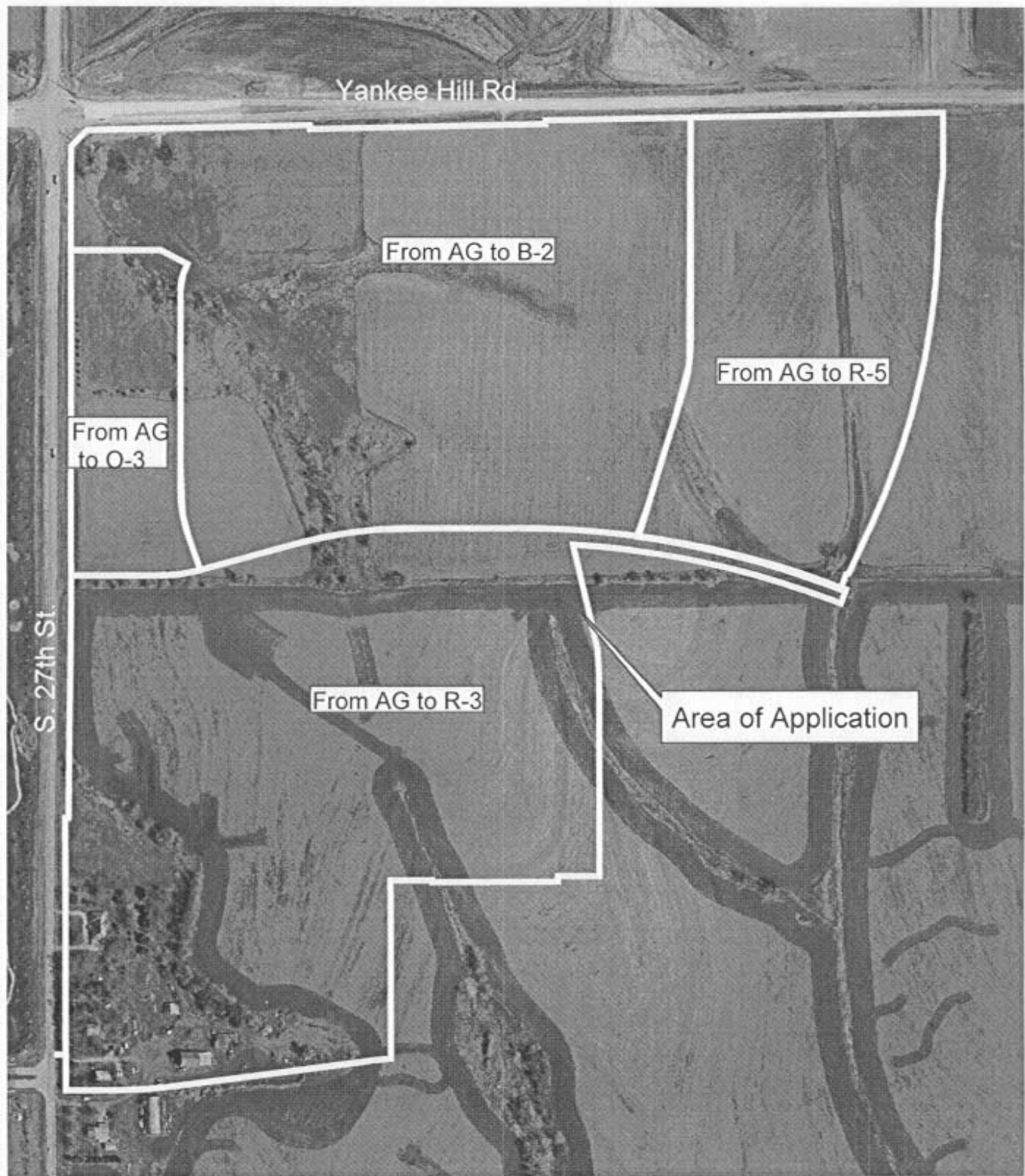
LEGEND
 92 AC.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	25°02'01"	2033.00	888.25	881.20
C2	17°16'22"	2558.00	771.16	768.24
C3	1°47'32"	1898.24	59.38	59.37
C4	7°10'02"	1542.00	192.89	192.77

LEGAL DESCRIPTION ANNEX

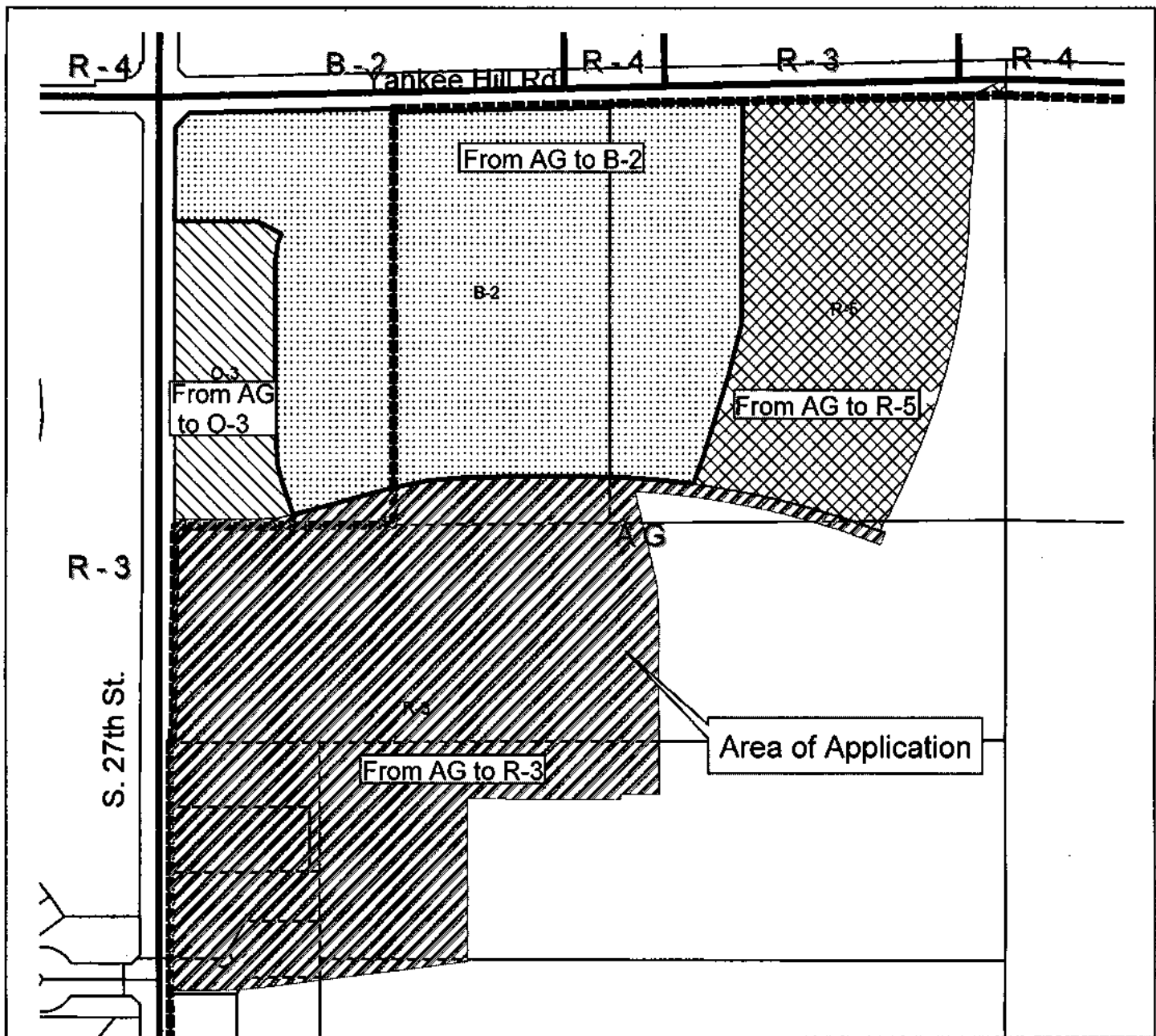
A TRACT OF LAND LOCATED IN SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE S00°02'58"W ON AN ASSUMED BEARING ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 50.01 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD; THENCE S88°45'38"W ALONG SAID SOUTH LINE, A DISTANCE OF 100.26 FEET TO THE POINT OF BEGINNING; THENCE S00°02'28"W, A DISTANCE OF 161.04 FEET; THENCE S05°44'43"W, A DISTANCE OF 140.69 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 25°02'01", A RADIUS OF 2,033.00 FEET, AN ARC LENGTH OF 888.25 FEET, A CHORD LENGTH OF 881.20 FEET AND A CHORD BEARING OF S12°29'26"W; THENCE ALONG SAID CURVE, A DISTANCE OF 888.25 FEET; THENCE S25°00'27"W, A DISTANCE OF 151.43 FEET; THENCE S69°21'56"E, A DISTANCE OF 8.74 FEET; THENCE S20°38'04"W, A DISTANCE OF 87.08 FEET; THENCE N69°21'41"W, A DISTANCE OF 15.52 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 17°16'22", A RADIUS OF 2,558.00 FEET, AN ARC LENGTH OF 771.16 FEET, A CHORD LENGTH OF 768.24 FEET AND A CHORD BEARING OF N77°59'36"W; THENCE ALONG SAID CURVE, A DISTANCE OF 771.16 FEET; THENCE S13°28'51"E, A DISTANCE OF 221.69 FEET; THENCE S12°35'31"E, A DISTANCE OF 83.37 FEET; THENCE S02°58'55"E, A DISTANCE OF 79.47 FEET; THENCE S00°07'52"E, A DISTANCE OF 63.45 FEET; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 495.27 FEET; THENCE S89°56'50"W, A DISTANCE OF 120.00 FEET; THENCE S00°07'52"E, A DISTANCE OF 15.60 FEET; THENCE S89°52'08"W, A DISTANCE OF 360.00 FEET; THENCE N00°07'52"W, A DISTANCE OF 5.02 FEET; THENCE S89°52'08"W, A DISTANCE OF 120.00 FEET; THENCE S00°07'52"E, A DISTANCE OF 500.68 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01°47'32", A RADIUS OF 1,898.24 FEET, AN ARC LENGTH OF 59.38 FEET, A CHORD LENGTH OF 59.37 FEET AND A CHORD BEARING OF S83°46'12"W; THENCE ALONG SAID CURVE, A DISTANCE OF 59.38 FEET; THENCE S82°52'26"W, A DISTANCE OF 566.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07°10'02", A RADIUS OF 1,542.00 FEET, AN ARC LENGTH OF 192.89 FEET, A CHORD LENGTH OF 192.77 FEET AND A CHORD BEARING OF S86°27'27"W; THENCE ALONG SAID CURVE, A DISTANCE OF 192.89 FEET; THENCE N89°57'32"W, A DISTANCE OF 116.47 FEET; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 27TH STREET FOR THE NEXT 4 COURSES, N00°00'54"W, A DISTANCE OF 99.32 FEET; THENCE N00°03'13"W, A DISTANCE OF 665.12 FEET; THENCE N89°28'16"E, A DISTANCE OF 9.44 FEET; THENCE N00°36'09"E, A DISTANCE OF 660.11 FEET; THENCE N89°28'17"E, A DISTANCE OF 682.00 FEET; THENCE N00°03'32"W, A DISTANCE OF 1,273.77 FEET; THENCE N88°45'38"E, A DISTANCE OF 676.55 FEET; THENCE N00°03'50"W, A DISTANCE OF 10.00 FEET; THENCE N88°45'38"E, A DISTANCE OF 1,138.23 FEET TO THE POINT OF BEGINNING. CONTAINING 91.98 ACRES, MORE OR LESS.



**Change of Zone #3423
S. 27th St. & Yankee Hill Rd.**



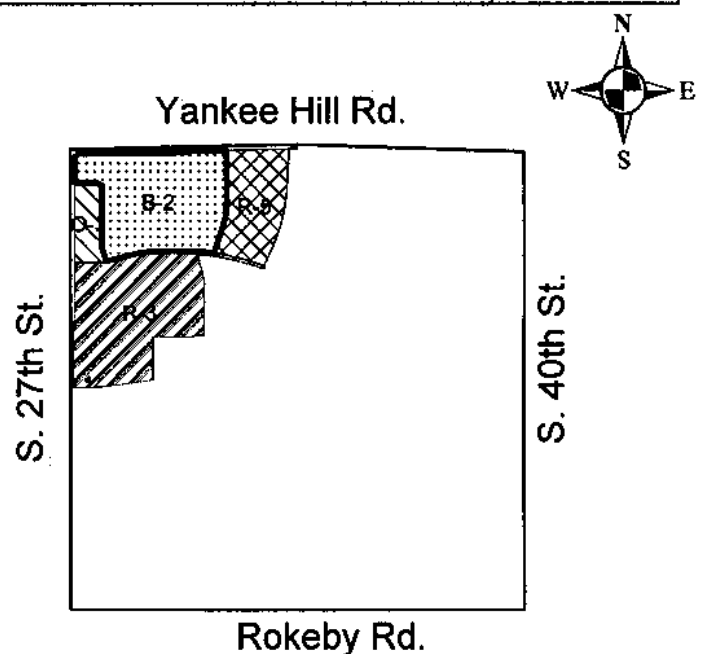
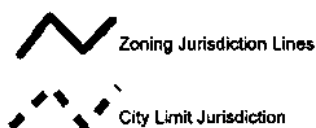


Change of Zone #3423 S. 27th St. & Yankee Hill Rd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-6	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 30 T09N R7E



LEGAL DESCRIPTION zone R-3

A tract of land located in the Northwest and Southwest quarter of section 30, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska. More particularly described as follows:

Referring to the southwest corner of said Northwest quarter; thence S89°48'59"E on an assumed bearing along the south line of the said Northwest quarter, a distance of 33.00 feet to the point of beginning; thence N00°03'13"W, a distance of 665.12 feet; thence N89°28'16"E, a distance of 9.44 feet; thence N00°36'10"E, a distance of 660.11 feet; thence N00°03'13"W, a distance of 23.11 feet; thence N89°50'48"E, a distance of 263.39 feet to the point of curvature of a radial curve to the left having a central angle of 15°00'00", a radius of 400.00 feet, an arc length of 104.72 feet, a chord length of 104.42 feet and a chord bearing of N82°20'48"E; thence along said curve, a distance of 104.72 feet; thence N74°50'48"E, a distance of 296.68 feet to the point of curvature of a radial curve to the right having a central angle of 15°00'00", a radius of 1,200.00 feet, an arc length of 314.16 feet, a chord length of 313.26 feet and a chord bearing of N82°20'48"E; thence along said curve, a distance of 314.16 feet; thence N89°50'47"E, a distance of 316.69 feet to the point of curvature of a radial curve to the right having a central angle of 20°47'47", a radius of 2,600.00 feet, an arc length of 943.71 feet, a chord length of 938.54 feet and a chord bearing of S79°45'19"E; thence along said curve, a distance of 943.71 feet; thence S69°21'41"E, a distance of 15.52 feet; thence S20°38'04"W, a distance of 42.00 feet; thence N69°21'41"W, a distance of 15.52 feet to the point of curvature of a non tangent curve to the left having a central angle of 17°16'22", a radius of 2,558.00 feet, an arc length of 771.16 feet, a chord length of 768.24 feet and a chord bearing of N77°59'36"W; thence along said curve, a distance of 771.16 feet; thence S13°28'51"E, a distance of 221.69 feet; thence S12°35'31"E, a distance of 83.37 feet; thence S02°58'55"E, a distance of 79.47 feet; thence S00°07'52"E, a distance of 558.72 feet; thence S89°56'50"W, a distance of 120.00 feet; thence S00°07'52"E, a distance of 15.60 feet; thence S89°52'08"W, a distance of 360.00 feet; thence N00°07'52"W, a distance of 5.02 feet; thence S89°52'08"W, a distance of 120.00 feet; thence S00°07'52"E, a distance of 500.68 feet to the point of curvature of a non tangent curve to the left having a central angle of 01°47'32", a radius of 1,898.24 feet, an arc length of 59.38 feet, a chord length of 59.37 feet and a chord bearing of S83°46'12"W; thence along said curve, a distance of 59.38 feet; thence S82°52'26"W, a distance of 566.38 feet to the point of curvature of a radial curve to the right having a central angle of 07°10'02", a radius of 1,542.00 feet, an arc length of 192.89 feet, a chord length of 192.77 feet and a chord bearing of S86°27'27"W; thence along said curve, a distance of 192.89 feet; thence N89°57'32"W, a distance of 116.47 feet to a point on the easterly right-of-way line of South 27th Street; thence N00°00'55"W, along said right-of-way line, a distance of 99.32 feet to the point of beginning.

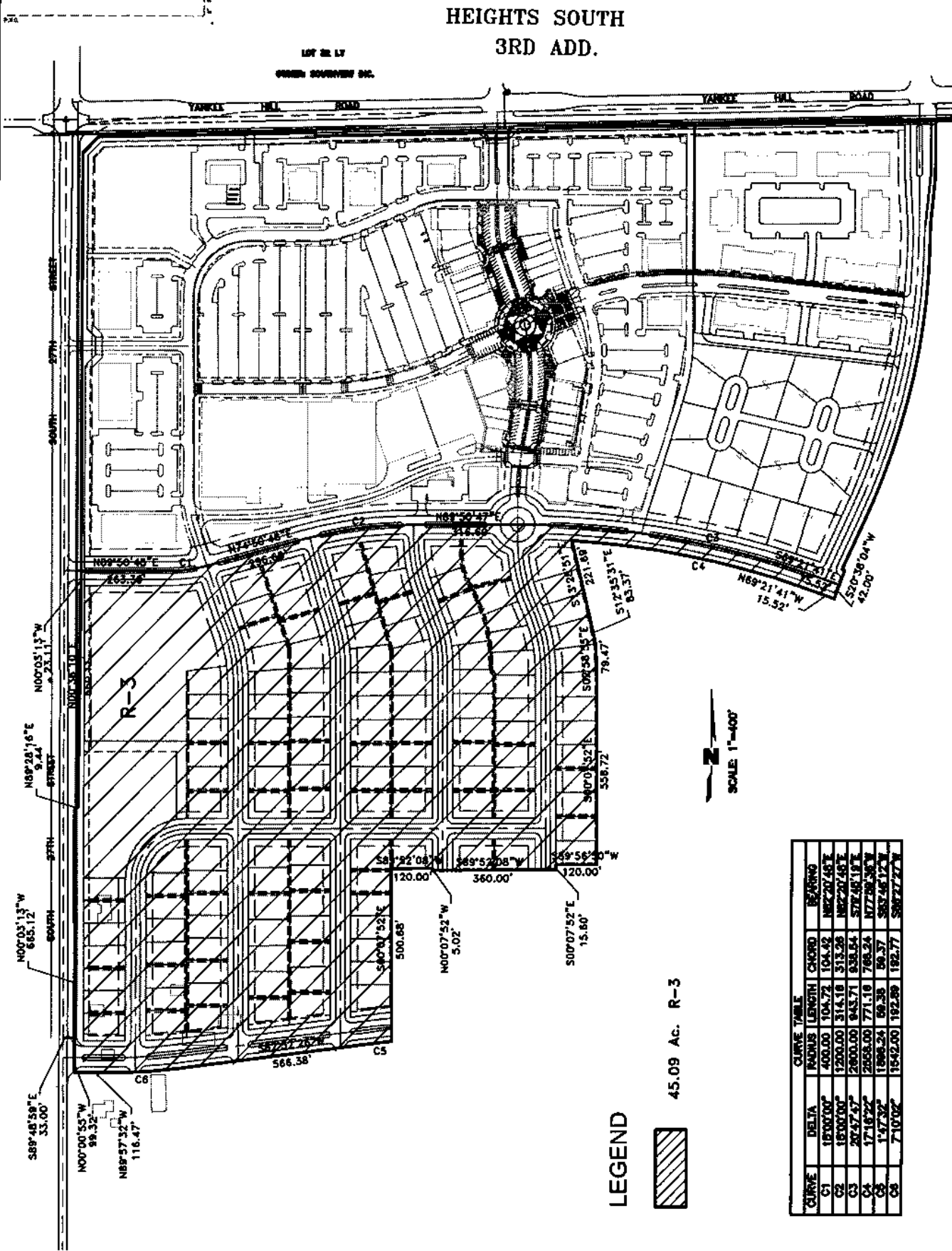
Containing 1,963,992.93 square feet or 45.0871 acres, more or less.

END OF DESCRIPTION.

**WILDERNESS HILL
CHANGE OF ZONE EXHIBIT (R-3)**
Lincoln, Nebraska

630 N. Corner Blvd.
Ste. 105
Lincoln, NE 68505
Ph. 402-464-4011

EDC
ENGINEERING DESIGN CONSULTANTS



LEGAL DESCRIPTION zone R-5

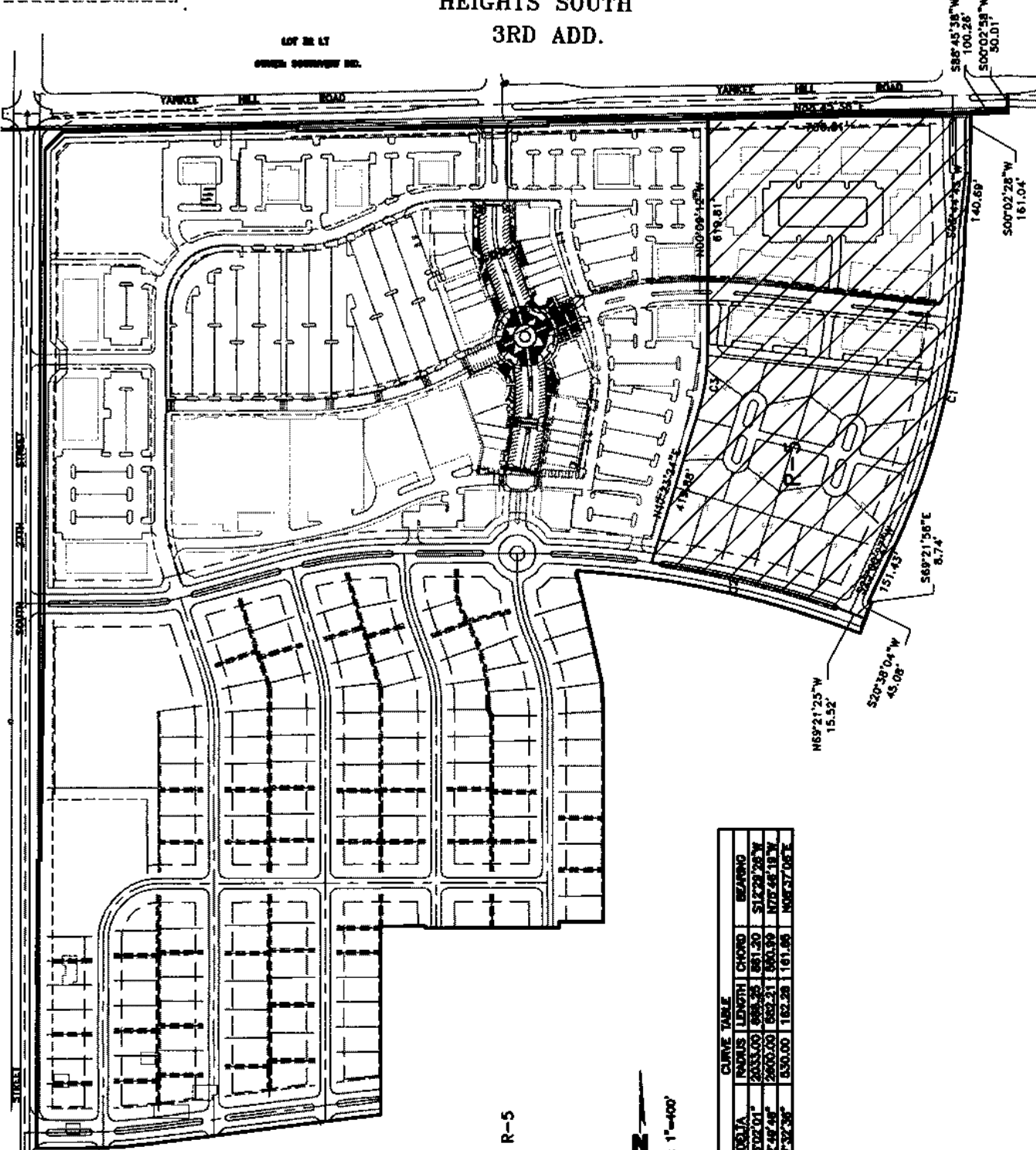
A tract of land located in the Northwest quarter of section 30, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska. More particularly described as follows:

Referring to the Northeast corner of said quarter; thence S00°02'58"W on an assumed bearing along the East line of said quarter, a distance of 50.01 feet; thence S88°45'38"W parallel to the North line of said quarter, a distance of 100.26 feet to the point of beginning; thence S00°02'28"W, a distance of 161.04 feet; thence S05°44'43"W, a distance of 140.69 feet to the point of curvature of a non tangent curve to the right having a central angle of 25°02'01", a radius of 2,033.00 feet, an arc length of 888.25 feet, a chord length of 881.20 feet and a chord bearing of S12°29'26"W; thence along said curve, a distance of 888.25 feet; thence S25°00'27"W, a distance of 151.43 feet; thence S69°21'56"E, a distance of 8.74 feet; thence S20°38'04"W, a distance of 45.08 feet; thence N69°21'25"W, a distance of 15.52 feet to the point of curvature of a radial curve to the left having a central angle of 12°49'48", a radius of 2,600.00 feet, an arc length of 582.21 feet, a chord length of 580.99 feet and a chord bearing of N75°46'19"W; thence along said curve, a distance of 582.21 feet; thence N17°23'24"E, a distance of 419.88 feet to the point of curvature of a radial curve to the left having a central angle of 17°32'36", a radius of 530.00 feet, an arc length of 162.28 feet, a chord length of 161.65 feet and a chord bearing of N08°37'06"E; thence along said curve, a distance of 162.28 feet; thence N00°09'12"W, a distance of 619.81 feet to a point on the south right-of-way line of Yankee Hill Road; thence N88°45'38"E along said right-of-way line, a distance of 706.31 feet to the point of beginning.

Containing 839,154.96 square feet or 19.2643 acres, more or less.

END OF DESCRIPTION.

HEIGHTS SOUTH 3RD ADD.



LEGEND



19.26 Ac. R-5

SCALE: 1"=400'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	20°02'01"	2033.00	688.28	681.20	S17°22'28"W
C2	12°48'18"	2800.00	682.21	580.99	N75°48'18"W
C3	17°37'30"	830.00	182.28	161.86	N08°37'05"E

Drawn By: BT
Dwg.: WilderHill_R-5
Date: 9/18/03

WILDERNESS HILL CHANGE OF ZONE EXHIBIT (R-5) Lincoln, Nebraska

630 N. Conner Blvd.
Ste. 105
Lincoln, NE 68505
Ph. 402-464-4011

EDC
ENGINEERING DESIGN CONSULTANTS

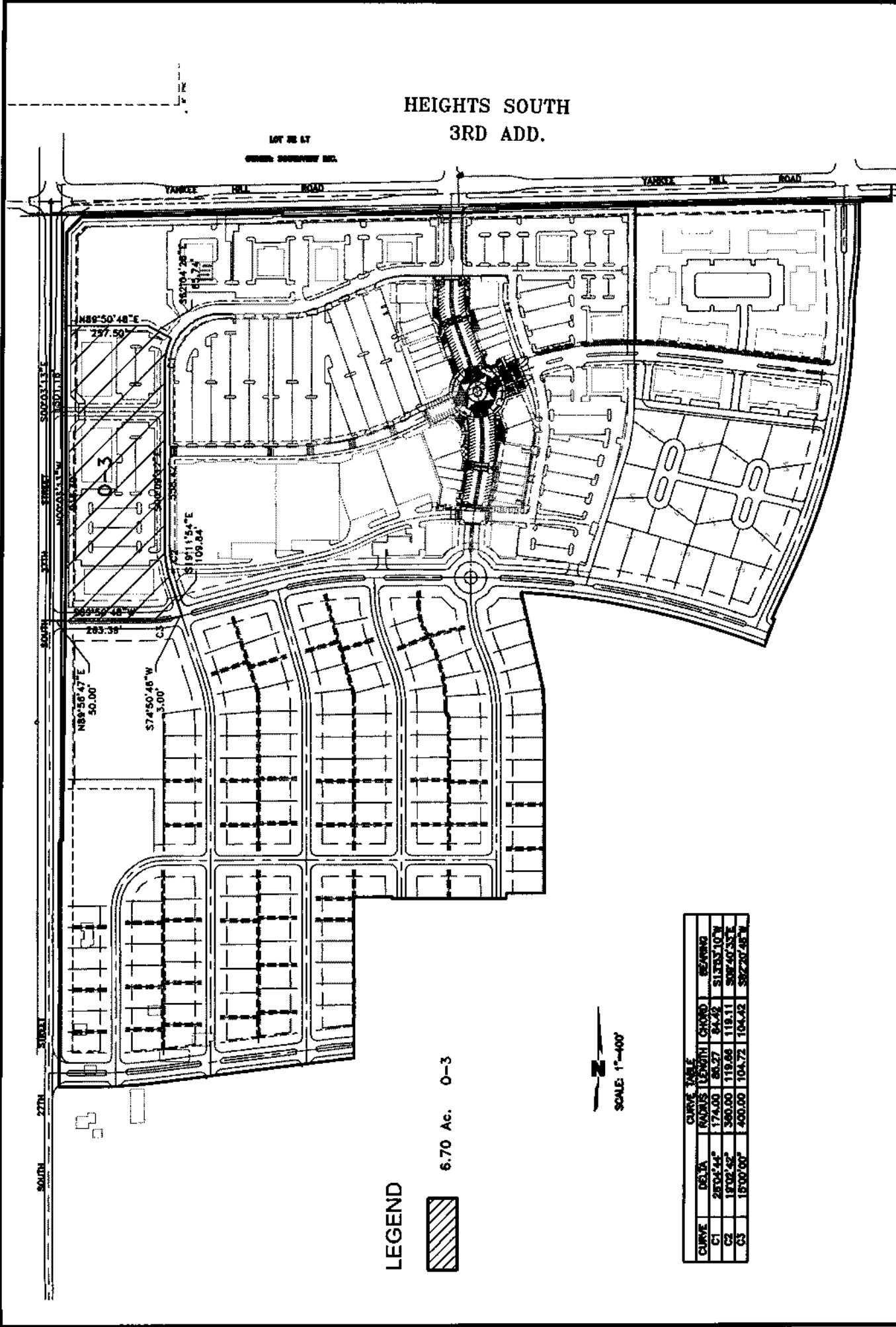
LEGAL DESCRIPTION zone O-3

A tract of land located in the Northwest quarter of section 30, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska. More particularly described as follows:

Referring to the Northwest corner of said section; thence S00°03'13"E, on an assumed bearing, along the west line of said quarter, a distance of 1,301.18 feet; thence N89°56'47"E, a distance of 50.00 feet to the point of beginning; thence N00°03'13"W, a distance of 916.39 feet; thence N89°50'48"E, a distance of 257.50 feet; thence S62°04'28"E, a distance of 85.74 feet to the point of curvature of a non tangent curve to the left having a central angle of 28°04'44", a radius of 174.00 feet, an arc length of 85.27 feet, a chord length of 84.42 feet and a chord bearing of S13°53'10"W; thence along said curve, a distance of 85.27 feet; thence S00°09'12"E, a distance of 558.42 feet to the point of curvature of a radial curve to the left having a central angle of 19°02'42", a radius of 360.00 feet, an arc length of 119.66 feet, a chord length of 119.11 feet and a chord bearing of S09°40'33"E; thence along said curve, a distance of 119.66 feet; thence S19°11'54"E, a distance of 109.84 feet; thence S74°50'48"W, a distance of 3.00 feet to the point of curvature of a radial curve to the right having a central angle of 15°00'00", a radius of 400.00 feet, an arc length of 104.72 feet, a chord length of 104.42 feet and a chord bearing of S82°20'48"W; thence along said curve, a distance of 104.72 feet; thence S89°50'48"W, a distance of 263.39 feet to the point of beginning.

Containing 292,062.07 square feet or 6.7048 acres, more or less.

END OF DESCRIPTION.



HEIGHTS SOUTH 3RD ADD.

LEGEND



6.70 Ac. O-3

SCALE: 1"=400'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	25°04'44"	174.00	85.27	84.49
C2	18°02'45"	300.00	119.66	119.11
C3	18°00'00"	400.00	104.72	104.42

LEGAL DESCRIPTION: zone B-2

A tract of land located in the Northwest quarter of section 30, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska. More particularly described as follows:

Referring to the Northwest corner of said Northwest quarter; thence S00°03'13"E, on an assumed bearing, along the west line of said quarter, a distance of 1,301.18 feet; thence N89°56'47"E, a distance of 50.00 feet; thence N89°50'48"E, a distance of 263.39 feet to the point of curvature of a radial curve to the left having a central angle of 15°00'00", a radius of 400.00 feet, an arc length of 104.72 feet, a chord length of 104.42 feet and a chord bearing of N82°20'48"E; thence along said curve, a distance of 104.72 feet; thence N74°50'48"E, a distance of 3.00 feet to the point of beginning; thence N19°11'54"W, a distance of 109.84 feet to the point of curvature of a radial curve to the right having a central angle of 19°02'42", a radius of 360.00 feet, an arc length of 119.66 feet, a chord length of 119.11 feet and a chord bearing of N09°40'33"W; thence along said curve, a distance of 119.66 feet; thence N00°09'12"W, a distance of 558.42 feet to the point of curvature of a radial curve to the right having a central angle of 28°04'44", a radius of 174.00 feet, an arc length of 85.27 feet, a chord length of 84.42 feet and a chord bearing of N13°53'10"E; thence along said curve, a distance of 85.27 feet; thence N62°04'28"W, a distance of 85.74 feet; thence S89°50'48"W, a distance of 242.50 feet; thence N00°03'13"W, a distance of 285.03 feet; thence N44°37'34"E, a distance of 51.79 feet; thence N88°45'38"E, a distance of 1,307.13 feet; thence N00°03'50"W, a distance of 5.00 feet; thence N88°45'38"E, a distance of 431.93 feet; thence S00°09'12"E, a distance of 609.81 feet to the point of curvature of a radial curve to the right having a central angle of 17°32'36", a radius of 530.00 feet, an arc length of 162.28 feet, a chord length of 161.65 feet and a chord bearing of S08°37'06"W; thence along said curve, a distance of 162.28 feet; thence S17°23'24"W, a distance of 419.88 feet to the point of curvature of a non tangent curve to the left having a central angle of 07°57'59", a radius of 2,600.00 feet, an arc length of 361.50 feet, a chord length of 361.21 feet and a chord bearing of N86°10'13"W; thence along said curve, a distance of 361.50 feet; thence S89°50'47"W, a distance of 316.69 feet to the point of curvature of a radial curve to the left having a central angle of 15°00'00", a radius of 1,200.00 feet, an arc length of 314.16 feet, a chord length of 313.26 feet and a chord bearing of S82°20'47"W; thence along said curve, a distance of 314.16 feet; thence S74°50'48"W, a distance of 293.69 feet to the point of beginning.

Containing 1,760,723.03 square feet or 40.4206 acres, more or less.

END OF DESCRIPTION.

